

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Kimberly Sue Cox

Docket No. 284412

LC No. 05-205258-FH

Karen M. Fort Hood  
Presiding Judge

Helene N. White

Christopher M. Murray  
Judges

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In lieu of granting defendant's delayed application for leave to appeal, we remand this matter to the trial court to articulate whether the fees and cost were carried forward from the revoked probation order, or whether there is a statutory basis for the imposition of costs and fines. See *People v Krieger*, 202 Mich App 245, 247; 507 NW2d 749 (1993) (The trial court has the authority to award costs as a condition of probation provided that there is an express provision for them in the underlying statute.).

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 27 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk